

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

## CIVIL MINUTES – GENERAL

No.	EDCV 23-01704-SVW (AS)	Date	February 8, 2024
Title	<i>Orion Milum v. John Merchant</i>		

Present: The Honorable	Alka Sagar, United States Magistrate Judge
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Alma Felix

Not reported

Deputy Clerk

Court Reporter / Recorder

Attorney Present for Petitioner:

Attorney Present for Respondent:

Not present

Not present

**Proceedings (In Chambers):****(SECOND) ORDER TO SHOW CAUSE RE LACK  
OF PROSECUTION**

On December 13, 2023, the Court issued an Order to Show Cause (“OSC”) directing Petitioner to show cause no later than January 3, 2024, why this action should not be dismissed with prejudice for failure to prosecute and/or for failure to comply with Court orders. (Dkt. No. 11). To date, Petitioner has failed to respond to the Court’s OSC, request an extension of time to do so, or otherwise communicate with the Court.

Accordingly, Petitioner is once again **ORDERED TO SHOW CAUSE, in writing, no later than February 29, 2024**, why this action should not be dismissed with prejudice for failure to prosecute. This Order will be discharged upon the filing of an Opposition to the Motion to Dismiss or by filing a declaration under penalty of perjury stating why he is unable to do so.

If Petitioner no longer wishes to pursue this action, he may request a voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1). A notice of dismissal form is attached for Petitioner’s convenience. Petitioner is warned that a failure to timely respond to this Order will result in a recommendation that this action be dismissed with prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute and obey court orders.

**IT IS SO ORDERED.**

cc: Stephen V. Wilson  
United States District Judge